

(hereinafter the “State Court Action”). A copy of the Complaint in the State Court Action is attached as “**Exhibit A.**”

2. On October 22, 2018, the legal department of Synchrony received a copy of the Complaint in the State Court Action. *Id.*

3. Synchrony filed this Notice of Removal on November 13, 2018.

4. The removal is timely because it is filed within 30 days of being served with the Claim. *See* 28 U.S.C. § 1446(b).

II. REMOVAL IS PROPER AS THIS CASE INVOLVES A FEDERAL STATUTE

5. Synchrony removes this case on grounds of federal-question jurisdiction pursuant to 28 U.S.C. § 1331.

6. Plaintiff’s Complaint is removable under 28 U.S.C. § 1441 because it originally could have been filed in this Court under 28 U.S.C. § 1331, in that Plaintiff brings a cause of action against Defendants under the Telephone Consumer Protection Act, 47 U.S.C. § 227 *et seq.* Specifically, Plaintiff alleges that “Defendant caused to be made an unknown number of calls to Plaintiff’s cell phone numbers.” Compl. ¶ 12. Plaintiff further alleges that “the calls made to Plaintiff’s cell phone were made using either an automatic telephone dialing system, as that term is defined in 47 U.S.C. § 227(a)(1), or an artificial or prerecorded voice.” *Id.* ¶ 16.

7. Under 28 U.S.C. § 1331, “[t]he district courts shall have original jurisdiction of all civil actions arising under the...laws...of the United States.” “[A]ny civil action brought in a state court of which the district courts of the United States have original jurisdiction may be removed by the defendant or the defendants to the district court of the United States for the district and division embracing the place where such action is pending.” 28 U.S.C. §1441(a).

8. Pursuant to 28 U.S.C. §§ 84(b) and 1441(a), venue is proper and this case is properly removed to this Court because the United States District Court for the Middle District of Pennsylvania embraces Susquehanna County, where Plaintiff’s action is pending.

9. There are no other cases related to the instant action, and Synchrony has not attempted to remove this case previously.

10. Synchrony hereby reserves any and all rights to assert any and all defenses to Plaintiff’s Complaint, including, but not limited to, insufficiency of process, lack of personal jurisdiction, and improper venue.

WHEREFORE, Synchrony Bank, respectfully removes Plaintiff’s action from the Susquehanna County Court of Common Pleas to this Court, pursuant to 28 U.S.C. § 1441, and requests that further proceedings be conducted in this Court as provided by law.

DATED: November 13, 2018

Respectfully submitted,

By: /s/ Jack P. Bock

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Synchrony Bank

CERTIFICATE OF SERVICE

I hereby certify that on the 13th Day of November, 2018, I electronically filed the foregoing document with the Clerk of the Court by using the CM/ECF filing system, which will serve it on the following counsel of record:

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